REMARKS

The Examiner's Office Action of May 13, 2005 has been received and its contents reviewed. Applicant would like to thank the Examiner for the consideration given to the above-identified application.

Prior to this Amendment, claims 1-88 were pending. By this Amendment, claim 87 has been cancelled. Accordingly, claims 1-86 and 88 are pending for consideration, of which claims 1, 3-6, 19, 21-24 and 88 are independent.

Referring now to the detailed Office Action, claims 1, 2, 19, 20, 67, 77, 82 and 87 stand rejected under 35 U.S.C. §103(a) as unpatentable over Yamashita et al. (U.S. Patent No. 6,072,206 – hereafter Yamashita) in view of Roberts (U.S. Patent No. 5,541,654 – hereafter Roberts) and Morris et al. (U.S. Patent No. 6,665,010). Further, claims 3-18, 21-36, 48-56, 68-71, 73-76, 78-81, 83-86 and 88 stand rejected under 35 U.S.C. §103(a) as unpatentable over Yamashita in view of Roberts, Morris and Beiley (U.S. Patent Publication No. 2001/0007471 – hereafter Beiley). Still further, claims 7-10, 25-28, 31-32, 35-36 and 52 stand rejected under 35 U.S.C. §103(a) as unpatentable over Yamashita in view of Roberts and Beiley and Morris et al. (U.S. Patent No. 6,665,010 – hereafter Morris). Finally, claims 37-47, 57-66 and 72 stand rejected under 35 U.S.C. §103(a) as unpatentable over Yamashita in view of Roberts, Morris, Beiley and Kamiko (U.S. Patent No. 6,307,956 – hereafter Kamiko). It is noted that Morris is newly applied in this Office Action, and Yamashita, Roberts and Morris are all commonly applied in all of the §103(a) rejections.

With respect to the §103(a) rejection of independent claim 87 over Yamashita, Roberts and Morris, Applicant has cancelled claim 87 without prejudice or disclaimer to the subject matter disclosed therein. Accordingly, the rejection of claim 87 is rendered as moot.

With respect to the §103(a) rejection of claims 1 and 19 over Yamashita, Roberts and Morris, the Examiner alleged that Morris teaches in Figs. 5-11 the feature of claims 1 and 19 including a digital imager having a perimeter mode for imaging a first object on trial, all of the plurality of the pixel reset simultaneously (globally initialized and a normal mode for imaging a second object ordinarily (col. 3, lines 55-67 and col. 4, lines 1-27 of Morris). The Examiner further alleged that Roberts teaches in Figs. 1 and 6 an image MOS sensor which allows the pixels of the array to all be simultaneously reset (col. 11, lines 60-65) and the

control circuit (32) selecting at least a part of the pixels to output signals of the selected pixels (i.e., windows 172 or 174 as shown in Fig. 6 and col. 13, lines 20-25 and col. 10, lines 9-21). However, as recited in the pending claims, the step of imaging a first object on trial comprises the steps of resetting the plurality of pixels at a same time and sequentially selecting at least a part of the plurality of pixels to output signals of the selected pixels. According to the claimed imaging a first object on trial, the optimum storage period is determined quickly and easily. The effect of determining the optimum storage period of the claimed step of imaging a first object on trial is not taught or suggested by any of the cited prior art references. That is, the cited references are silent on the desired effect of determining the optimum storage period, hence, it would not be obvious for the person of ordinary skill in the art to combine Yamashita, Roberts and Morris, as alleged by the Examiner.

Applicant notes that a storage period is a time period from when a pixel is reset until the gage signal line is selected and signal is outputted. The Examiner is invited to review page 50, line 24 to page 51, line 4, and page 54, lines 7-8, for example, of the present specification for discussion of the desired effect of imaging a first object on trial or "trial imaging", as disclosed on page 19, lines 14-16 of the specification.

It is well settled that when combining the references in order to support a *prima facie* case of obviousness, the references must be considered in their entirety. It is further settled that the mere fact that the prior art may be modified to reflect features of the claimed invention does not make the modification and hence the claimed invention obvious unless the desirability of such modification is suggested by the prior art itself (MPEP §2141). Moreover, the claimed invention cannot be used as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious, In Re Fritsch, 23 USPQ2d 1780 (Fed. Cir. 1992). Applicant respectfully submits again that at least the steps of "imaging a first object on trial" is not taught, disclosed or suggested by the cited prior art references. Hence, a *prima facie* case of obviousness has not been established.

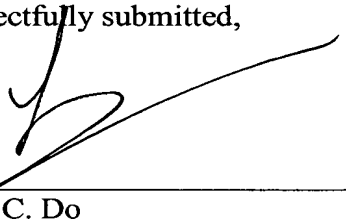
The arguments set forth above in relation to the rejection of claims 1 and 19 are also applicable to the rejection of independent claims 3-6, 21- 24 and 88 which also applied the combination of Yamashita, Roberts and Morris.

In the interest of keeping prosecution history compact, and as the amendments and arguments set forth above with respect to all the independent claims are deemed sufficient to overcome all of the pending rejections, Applicant will not address each and every §103(a) rejections of the pending dependent claims and reserves the right to do so in the future as necessary.

In view of the amendments and arguments set forth above, Applicant respectfully requests reconsideration and withdrawal of all the pending rejections.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise, which could be eliminated through discussions with Applicant's representative, then the Examiner is invited to contact the undersigned by telephone in order that the further prosecution of this application can thereby by expedited.

Respectfully submitted,



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